

**STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

**STAFF REPORT FOR REGULAR MEETING OF MAY 19, 2000**

Prepared on April 18, 2000

**ITEM: 4**

**SUBJECT: Executive Officer's Report to the Board**

Brief discussion of some items of interest to the Board follow. Upon request, staff can provide more detailed information about any particular item.

**REGULATION SUMMARY OF  
MARCH 2000**

[Corinne Huckaby 805/549-3504  
and Maura Mahon 805/542-4642]

Orders

|                                     |     |
|-------------------------------------|-----|
| Reports of Waste Discharge Received | 8   |
| Requirements Pending                | 42  |
| Inspections Made                    | 52  |
| Self-Monitoring Reports Reviewed    | 114 |
| Stormwater Reports Reviewed         | 14  |

Enforcement

Non-Compliance Letters Sent:

|                             |   |
|-----------------------------|---|
| NPDES Program               | 5 |
| Non-Chapter 15 WDR Program  | 6 |
| Chapter 15 Program          | 1 |
| Unregulated                 | 0 |
| CAOs Issued                 | 0 |
| ACL Complaints              | 2 |
| Notice to Comply (NTC)      | 1 |
| Storm Water (NOV)           | 6 |
| Unregulated (FTS's – Tanks) | 1 |

**WATER QUALITY CERTIFICATIONS**

[Corinne Huckaby 805/549-3504]

Conditional Certification is recommended to the State Board Executive Director when a project may adversely impact surface water quality. Conditions allow the project to proceed under an Army Corps permit, while upholding water quality standards.

Staff recommends "Waiver of Certification" when the applicant proposes adequate mitigation. Measures included in the application must assure that beneficial uses will be protected, and water quality standards will be met.

Staff will recommend "No Action" when no discharge or adverse impacts are expected. Generally, a project must provide beneficial use and habitat enhancement for no action to be taken by the Regional Board.

A chart on the following page lists applications received through April 19, 2000.

**WATER QUALITY CERTIFICATION APPLICATIONS**  
**RECEIVED BETWEEN MARCH 1, 2000 THROUGH APRIL 19, 2000**

| DATE RECEIVED     | APPLICANT                                 | PROJECT DESCRIPTION  | RECEIVING                 | ACTION TAKEN |
|-------------------|---|--|---------------------------|--------------|
| February 29, 2000 | Caltrans                                  | Replacement and Extension of Culvert/Headwall                      | Boulder Creek             | Pending      |
| March 01, 2000    | Santa Barbara County                      | Calle Real Bridge Replacement                                      | San Jose Creek            | Waiver       |
| March 07, 2000    | Wise Acres, LLC                           | Construct bridge over Latigo Creek                                 | Latigo Creek              | Waiver       |
| March 08, 2000    | Caltrans                                  | Emergency culvert repair, removal mud and debris                   | Ephemeral drainage/Pacifi | Waiver       |
| March 08, 2000    | Andrews, Janet                            | Repair and Reinforce bank of San Luis Obispo Creek                 | San Luis Obispo Creek     | Inc. appl.   |
| March 09, 2000    | Henderson, Daryl                          | Glen Canyon Apartments and Townhouses Project                      | Camp Evers Creek          | Waiver       |
| March 09, 2000    | Santa Barbara County PWD                  | Replacement of Existing Degraded Bridge                            | Maria Ygnacio Creek       | Waiver       |
| March 13, 2000    | Corps of Engineers                        | FY 2000 Morro Bay Harbor South Breakwater Repair Project           | Morro Bay                 | Pending      |
| March 14, 2000    | Prefumo Creek Homes                       | Tract 2193 Subdivision, installation of culverts/clear span bridge | Prefumo Creek             | Pending      |
| March 17, 2000    | Pacific Crossing Fiber Optic Cable System | Installation of Fiber Optic Cable System                           | Pacific Ocean             | Pending      |
| March 20, 2000    | San Luis Obispo County Engineering Dept.  | Remove existing box culvert and construct new double box culvert   | Dry Creek                 | Pending      |
| March 24, 2000    | Chevron                                   | Marine Terminal Partial Abandonment, Phases 2 and 3                | Pacific Ocean             | Pending      |
| March 24, 2000    | Marla Morrissey                           | Los Osos Creek steelhead habitat                                   | Los Osos Creek            | Pending      |
| March 29, 2000    | Hertel and Sons                           | Willows II subdivision, installation of culverts                   | Islay Creek               | Pending      |
| March 29, 2000    | Santa Barbara DPW                         | Joanata Park Road Bridge Replacements                              | Zana Creek                | Pending      |
| March 30, 2000    | CalPoly                                   | Remove debris from low water crossing                              | Stenner Creek             | Pending      |
| April 03, 2000    | Gonzales USD                              | Culvert Replacement Project  | Gonzales Slough           | Pending      |
| April 03, 2000    | Lemburg. Dan                              | Concrete culvert extension   | San Luis Obispo           | Pending      |
| April 03, 2000    | Pacific Harbor Homes                      | Los Robles Del Mar   | Wetlands; Meadow Creek    | Pending      |
| April 03, 2000    | San Luis Obispo County Engineering Dept.  | Willow Road Extension at Nipomo Creek                              | Nipomo Creek              | Pending      |
| April 07, 2000    | Award Homes                               | Subdivision involving wetlands                                     | Wetlands                  | Pending      |
| April 11, 2000    | Land Development and Construction         | Mission Meadows Development Project                                | Wetlands                  | Pending      |

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## LOW THREAT DISCHARGES

This section is for dischargers who have requested approval to discharge water that poses insignificant threat to water quality or for sites recommended for case closure (low risk sites where no further regulatory action is required). Consequently, we conditionally approved of these proposals. Conditions common to each approval are:

1. If you, the Regional Board, object to the proposal, an NPDES permit or waste discharge requirements will be prepared for the Board's consideration.
2. The discharger remains liable for any treatment system failure that results in significant discharge of pollutants.
3. We have a "low threat discharges" general permit for surface water discharges available, and the discharger may be required to file for coverage by that permit.

Site descriptions and specific conditions are listed below for each case.

Uesugi Farms, Santa Clara County, [Matt Fabry 805/549-3458]

An exemption to the Basin Plan and waiver of waste discharge requirements was granted by the Executive Officer for an engineered wastewater treatment system. The exemption was granted to Uesugi Farms, Santa Clara County for disposal of up to 900 gallons per day of treated wastewater via a mound system. There were several conditions placed on the exemption. The most significant condition is a requirement that the Santa Clara County Environmental Health Department perform at least an annual inspection and compliance review of the system, and submit a written report to the Regional Board Office by March 1 every year. The Santa Clara County Environmental Health Department agreed to this condition.

## CASE CLOSURES FOR ABOVE AND UNDERGROUND TANKS (UGT), AND SPILLS, LEAKS, INVESTIGATIONS AND CLEANUPS (SLIC)

This section is formatted to easily identify sites where staff is recommending case closure concurrence from the Board. Case closures generally fall into two categories - cases where cleanup goals have been met and cases where cleanup goals have not been met. In the first case, staff generally sends the responsible party a letter stating the case is now closed since cleanup objectives have been met and no further action is needed. Unless the Board objects, staff will continue to send closure letters and simply report these cases by way of the Executive Officer's report.

The second situation occurs where cleanup objectives are not yet met, but for various reasons, staff is recommending closure. These cases will be reported to the Board in more detail. For example, staff has discovered that some sites have a plume of contamination confined to a defined area. Ground water monitoring may show the plume is decreasing both in concentration and size, and does not threaten probable beneficial uses. Other specific circumstances may exist such as the plume may be confined to a shallow portion of the aquifer with no actual or expected uses of the groundwater. The reasons for staff recommending closure will be explained with each case.

We are presenting these closures in a manner similar to the way we present waivers of waste discharge requirements. That is, the case will be discussed and if the Board does not object to a case or wishes more information, the issue may be discussed at the Board meeting where we can provide clarification or the Board may reject our recommendation for closure.

Abbreviations commonly used for these cases:

TPH - Total Petroleum Hydrocarbons

TPHd - TPH measured in the carbon range of diesel

TPHg - TPH measured in the carbon range of gasoline

BTEX - Benzene, Toluene, Ethylbenzene, Xylene (components of gasoline)

MTBE - Methyl Tertiary Butyl Ether (gasoline oxygenate additive)

DCA or 1,2, DCA - dichloroethane (gasoline additive)

DCE - dichloroethylene (gasoline additive)

PCE -tetrachloroethylene or perchloroethylene  
(perc - a solvent)

TCE - trichloroethylene (a solvent)

TCA - trichloroethane (a solvent)

**Staff Closed Case**

Antoine Faris 150 East Dunne Avenue, Morgan Hill, Santa Clara County [John Mijares, 805/549-3696]

Earth Systems Consultants, on behalf of the property owner, Antoine Faris, has requested closure of this site.

The subject site consists of a single parcel of undeveloped land, approximately 3.6 acres, located south of East Dunne Avenue between Church Street and the Southern Pacific railroad tracks in Morgan Hill. In the past, the site had been used as a tank farm for storage of petroleum hydrocarbon. There were several aboveground storage tanks, two underground storage tanks, that were previously used at the site. All these structures have reportedly been removed. On May 29, 1996, case oversight was turned over by the Santa Clara Valley Water District (District) to the Regional Board because District staff determined that there was no release of petroleum hydrocarbon from the underground storage tanks. However, there was an issue with potential contamination from the previous aboveground tanks and total petroleum hydrocarbons (TPH) as diesel was detected in ground water at an upgradient site.

On December 31, 1996, the Responsible Party's (RP) consultant conducted a soil and ground water investigation to determine whether any petroleum hydrocarbon contamination from onsite or offsite sources had impacted the subject site. The investigation advanced two soil borings to 18.5 and 20 feet below ground surface, respectively. Soil and ground water samples were collected from the two borings and a ground water sample was collected from an existing onsite monitoring well. Analytical results of soil and ground water samples did not detect TPH as diesel or gasoline, benzene, toluene, ethylbenzene, xylenes, or MTBE. The information shows no contamination on-site from the above ground tanks or from the upgradient source. Santa Clara Valley Water district is overseeing cleanup of the upgradient diesel contamination.

On January 17, 2000, the RP's consultant submitted the Case Closure Summary, Well Destruction Completion notice issued by the District, and a request for case closure. Regional Board staff has no objection to this closure request since there was no soil or ground water contamination and the monitoring well was appropriately destroyed. On April 7, 2000, the Executive Officer issued a closure letter for the subject site.

**Cases Recommended for Closure**

Pacific Grove Fire Department, 600 Pine Avenue, Pacific Grove, Monterey County [Wei Liu 805/542-4648]

Pacific Grove Fire Department, the property owner of the site, has requested closure of this case. Two gasoline tanks, one 500-gallon and one 550-gallon, were used at the site and removed in 1986 and 1995, respectively. Approximately 1,250 cubic yards of contaminated soil and more than 5000 gallons of contaminated ground water and free product around and below the former underground tanks were removed and disposed off-site. Common contaminants associated with gasoline such as benzene, toluene, ethylbenzene, and xylenes (BTEX), have not been detected above this Board's Water Quality Objectives (WQOs) in the last three years. Only MTBE was detected at relatively low concentrations (less than 88 ppb) in one of the existing monitoring wells. Ground water depth varies from about three feet to seven feet below ground surface (bgs). Bedrock with low permeability is present between approximately 3 to 16 feet bgs.

After the tank and contaminated soil and ground water removal, only MTBE was detected in one of the monitoring wells. MTBE concentrations in that well reduced from 88 ppb to 25 ppb between April 1998 and August 1999. This downward trend in MTBE concentrations suggests passive bioremediation is degrading the residual contaminants at the site. The current action level is 5 ppb for MTBE.

Shallow groundwater is unlikely to be used as a source of drinking water because it is limited in volume at the site due to the relatively thin water-bearing zone and generally poor quality (brackish). Attainment of cleanup objectives appears

imminent based on the low and reducing concentrations and limited extent of the degradation. Therefore, based on the information submitted, staff recommends closure of this site, and will proceed with closure unless the Board objects.

Tobey's Rasp Service, 2203 Mission Street, Santa Cruz; Santa Cruz County [Bob Hurford (805) 542-4776]

On behalf of Tobey's Rasp Service, D&M Consulting Engineers has requested closure of this site.

The site is located in southwest Santa Cruz, primarily a commercial-light industrial area within city limits. The 2.25-acre site is the former location of Tobey's Rasp Service, Inc., a manufacturer of tire rasps. Historical uses of chemicals, including storage and disposal, related to manufacturing and machining operations have resulted in releases at the site. Environmental investigations conducted to date have revealed metals, cyanides, volatile organic compounds, and diesel impacts to soil. The soil contamination has been removed to the extent it is no longer a significant threat to ground water quality. Quarterly ground water monitoring since 1996 of five on-site and two off-site ground water monitoring wells have sufficiently characterized ground water conditions beneath the site.

Based on ground water samples collected from the seven monitoring wells, water quality objectives have been met for all contaminants, with the exception of trichloroethene (TCE), an industrial chlorinated solvent. During the most recent sampling event, TCE was found at a concentration of 13 micrograms per liter ( $\mu\text{g/L}$ ) in one on-site monitoring well, MW-3. The water quality objective for TCE in ground water is 5  $\mu\text{g/L}$ . However, there is a clear declining trend in the concentrations of TCE in ground water samples obtained from MW-3.

Ground water beneath the site ranges between 1 and 6 feet below ground surface with bedrock at approximately 10 feet below ground surface. The Pacific Ocean is approximately 3000 feet to the south. The real estate for Tobey's Rasp Service, Inc. is owned by a trust. The trustees have been notified of staff's recommendation for case closure. Staff recommends case closure based on

the limited extent of ground water contamination limited to an area around only one on-site monitoring well and a clear decreasing trend in concentrations of VOCs present in ground water samples obtained from that monitoring well. Attainment of water quality objectives at MW-3 appears imminent, and is very likely to be obtained well before affected ground water is utilized.

## **STATUS REPORTS**

Buena Vista Mines, Inc., San Luis Obispo County [Gerhardt Hubner 805/542-4647]

### **Harold Biaggini and Buena Vista Mine Inc. Sentencing**

Mr. Harold Biaggini has begun serving his six month house arrest per the terms of the December 7, 1999 sentencing (fine, escrow account, house arrest). In addition staff understands that he has paid his \$30,000 fine, but not yet paid the \$300,000 restitution ordered by the Federal Court.

### **Site Conditions**

On March 9, 2000, Regional Board staff inspected the Buena Vista Mine site. The inspection was made with Mr. Dave Brooks, caretaker for the mine.

Notes from the inspection:

- The lower pond has approximately two feet of freeboard remaining. Pond water was observed to be relatively clear. Mr. Brooks was treating Acid Mine Drainage (AMD) waters in the ponds. Additional capacity is available in the dry upper pond.
- The Mahoney Drift and BVM sumps were found to be operating properly.
- Erosion control measures constructed in 1999 continue to be largely in place. One silt fence above the Western concrete ditch and below the Mill well was found to be collapsed and full of debris. Reseeding needed to be conducted in other areas, especially around the Mill area. Sedimentation basins installed have been largely effective in capturing sediment. Sediment captured needs to be removed.
- Laboratory results from a water sample taken that day by staff from the discharged treated

AMD indicate the following metals violated the NPDES permit effluent limitations contained in Order No. 93-48: Barium, Chromium, Copper and Mercury.

**U.S. EPA Actions**

On March 2, 2000, U.S. EPA sent a letter to Harold and Edward Biaggini, and Buena Vista Mines, Inc.. The letter clarifies U.S. EPA's position on the response actions listed under the Unilateral Administrative Order No. 99-13 (UAO). The letter directed Harold, Biaggini and BVMI to complete the remaining list of response actions (roughly half has been completed) under the UAO this year. On March 30, 2000, Mr. Harold Biaggini sent a letter (of which U.S. EPA faxed Regional Board staff a copy): "advising you (U.S. EPA) that neither I (Harold Biaggini) nor BVMI can continue to do any more remedial work on the Buena Vista and Klau Mines." In the letter Mr. Biaggini states: "BVMI relinquishes the site (both mines) to the EPA." That letter is attached as part of this report.

Staff understands from a phone discussion with U.S. EPA staff that U.S. EPA has begun preparations for its consultants and contractors to complete the remaining response action contained in UAO. The timeline to begin work is the first or second week in June. This work includes removing the waste rock retort pile, and preparing a disposal site with final cover on another location within the Buena Vista Mine. In addition several of the hill slopes at the Buena Vista Mine will be terraced and erosion control measures applied. At the Klau Mine, the reservoir will be drained eliminating a potential surface recharge of the underground workings. Additional slope and erosion control features are also planned at the Klau Mine.

Mr. Biaggini has signed and returned a CERCLA or Superfund Section 104(e) Request for Information Letter to the U. S. EPA. U. S. EPA staff will now be making inquiries into Harold Biaggini's and BVMI's financial records to determine the validity of his claims as to his inability to pay for remedial and on-site works at both the mine sites.

On April 12, 2000, Mr. David Rabbino, Assistant Regional Counsel for U.S. EPA wrote to Sullivan and Associates, attorneys for Mr. Harold Biaggini

and BVMI. In the letter, U.S. EPA asks for clarification on the willingness by Mr. Harold and Edward Biaggini and BVMI to comply with the UAO, and their claim of insufficient funds to continue performing the required actions.

On April 13, 2000, Mr. Harold Biaggini sent a response letter to U.S. EPA stating "I will continue to cooperate and will lend all of my labors to any government agency working at the Buena Vista Mine". However Mr. Biaggini reiterates in an earlier paragraph in the letter that "BVMI does not have the funds necessary to buy supplies and pay for materials and labor to do the necessary treatment at the mine."

**Regional Board Directives**

On January 31, 2000 staff finalized and sent out a multi-page comment letter on BVMI's Final Compliance Plan (Plan), dated September 1999. On March 1, 2000, we received a copy of a petition to the SWRCB filed by Sullivan and Associates, attorney for Harold, Biaggini and BVMI. The petition asks for the stay of the directives and orders contained in the January 31, 2000 letter (including the April 1, 2000 submission of the Engineering Design Report).

On April 17, 2000, a letter was sent from the State Board's Office of Chief Counsel to Mr. Harold Biaggini and his attorney stating that the petition application was complete. However, the request for a stay of this Region's Order was determined to be defective and not considered at this time. Staff will be preparing the administrative record to respond to the petition.

Casmalia Resources, Santa Barbara County [Dan Niles 805/549-3355]

**Recent items of interest for the Casmalia Site include:**

- Interim Collection, Treatment, and Disposal of Contaminated Liquids Element of Work
- Status of Site Ponds
- Pesticides/Solvent Landfill Cap Construction Update
- Revision of Monitoring and Reporting Program No. 99-034

**Interim Collection, Treatment, and Disposal of Contaminated Liquids Element of Work**

The United States Environmental Protection Agency (U. S. EPA) sent a letter to the Casmalia Steering Committee regarding the need to maximize liquids extraction at the site. The letter, dated March 24, 2000, responded to an earlier technical memorandum submitted to all the agencies by the Casmalia Steering Committee. The technical memorandum was submitted pursuant to the requirements of U. S. EPA's consent order, "Statement Of Work" and was to address collection of contamination in groundwater from the various groundwater extraction features at the site. The Casmalia Steering Committee's proposal was deemed inadequate by the agencies because it did not "maximize existing extraction features" pursuant to the requirements of the consent decree.

In response to the Casmalia Steering Committee's proposal, U. S. EPA's March 2000 letter detailed a) specific action levels for groundwater extraction facilities, b) requirements for installation of additional wells and piezometers in critical areas to better assess the influence of the various extraction facilities, c) needed modifications of existing features to better optimize collection of contaminated groundwater, and d) additional extraction facilities necessary to enhance collection of free phase solvents in groundwater in the Pesticides/Solvents Landfill. U. S. EPA and the other support agencies, including the Regional Board, coordinated our collective review and comment to the Casmalia Steering Committee's technical memorandum. U. S. EPA incorporated the agencies' comments in its March 2000 letter to the Casmalia Steering Committee.

The agencies and the Casmalia Steering Committee have planned follow up technical meetings to discuss the requirements in U. S. EPA's March 24, 2000 letter. The Board will be kept informed on the outcome of our discussions as achieving control of groundwater contamination and removal of sources of groundwater contamination are critical to the long-term success of containing wastes at the Casmalia Site.

**Status of Site Ponds**

**History**

There are five ponds at the Casmalia Site. These ponds are the result of waste impoundment excavations at the site that occurred from 1989 to 1992. The waste impounds were excavated in order to create future landfills; however, the operator of the facility, Casmalia Resources, ceased operations at the site and as a result, the excavations remained. During subsequent winters, the excavations filled with water primarily from storm water runoff that was contained on-site pursuant to Regional Board directives.

According to estimates provided by the Casmalia Steering Committee, the total capacities of the two largest reservoirs are 150 million gallons (460 acre feet) for the Runoff Containment Facility and 80 million gallons for the A-Series Pond (245 acre feet). Under Division of Safety of Dam's regulations, any water retention basin with a volume greater than 50 acre feet (or a dam higher than 24 feet) is defined as a reservoir and is subject the Division's regulations for dam safety.

**Present Status of the Ponds**

Currently, the Division of Safety of Dams staff recommends that water levels in the two reservoirs be kept as low as possible to avoid over topping and to maintain the stability of the earthen dams. The Division made this recommendation because the two reservoirs were not originally constructed as water holding basins and are in violation of dam safety requirements.

Water levels in the Casmalia Site ponds have risen between one and five feet after this winter rainy season. There is adequate storage capacity remaining and a discharge through the recently adopted National Pollutant Discharge Elimination System (NPDES) permit is not likely this year. The NPDES permit was adopted by the Regional Board in November 1999 and is intended to manage pond water levels by allowing an off-site discharge to Casmalia Creek. Provisions of the NPDES permit require the permittees (the Casmalia Steering Committee and Casmalia Resources) to utilize all on-site water use options before initiating an off-site discharge. Currently, pond water is used by the Casmalia Steering Committee for on-site irrigation, dust control, and during construction activities. The agencies are currently working with the Casmalia Steering Committee regarding water management issues related to dam stability and the known

presence of threatened and endangered species in the ponds.

As reported in the last Executive Officer's report to the Board, berm stability issues remain unresolved. Recently, staff from the California Division of Safety of Dams conducted an inspection of the two reservoirs (Runoff Containment Facility and A-Series Pond) and their associated dams.

As was previously concluded by the Division of Safety of Dams (the Division has been involved with the Casmalia Site several years) the reservoirs do not meet State regulations for dam safety. According to staff of the Division of Safety of Dams, the reservoirs lack proper engineering controls to hold back stored water. Staff of the Division also noted a lack of proper erosion controls and vegetation controls on the reservoir dams. In response, State staff including representatives of the California Department of Toxic Substances Control, Regional Board, California Department of Fish and Game, and Division of Safety of Dams, sent a joint letter to U. S. EPA conveying the Divisions observations and detailing recommended water management strategies for the site.

Regional Board staff have been requesting that U. S. EPA direct the Casmalia Steering Committee to empty the ponds by utilizing all the water on-site for irrigation, dust control, and construction activities. However, the California Department of Fish Game has requested a management plan to address the presence of threatened and endangered species known to be present in the ponds. The State and Federal agencies are working together to better define the species issues, implement a water management plan, and maintain minimum liquid volumes in the two reservoirs and the three other ponds.

Ultimately, all five surface water ponds will be closed as part of the site remedy required pursuant to U. S. EPA's consent order Statement of Work. A future site-wide water management plan is envisioned where storm water is kept separate from waste sources. This would allow storm water to leave the site after appropriate monitoring is conducted to ensure the water meets all applicable water quality standards. Ultimately on-site water storage will be minimized, thus reducing long-term operation and maintenance requirements.

## **Pesticides/Solvent Landfill Cap Construction Update**

### **History**

Construction of a cover system for the Pesticides/Solvents Landfill commenced in summer 1999 and was substantially completed by fall 1999. This landfill is approximately 22 acres and received an estimated two billion pounds of organic wastes such as solvents and pesticides. Due to the mobility of the wastes present in the Pesticides/Solvents Landfill, all agencies and the Casmalia Steering Committee agreed constructing a cover system over the waste was a high priority. The cover system was designed to reduce infiltration of rainwater into the waste to prevent further spread of contamination. Post construction inspections completed by representatives of the U. S. EPA, U. S. EPA's contractor CH2MHill, and the California Department of Toxic Substances Control, resulted in a list of concerns regarding the quality of construction of the upper layers of the cover system. The list contains 34 preliminary areas of concern. U. S. EPA and their contractor also noted additional concerns with erosion problems resulting from winter rains in February and April 2000.

U. S. EPA drafted a "notice of deficiency" letter dated January 28, 2000 detailing the 34 areas of concern with the Pesticides/Solvents Landfill cover system. U. S. EPA's letter also included corrective actions needed to remedy the noted problems. Negotiations are continuing between the agencies and the Casmalia Steering Committee regarding the extent of corrective action measures.

### **Current Status of Pesticides/Solvents Landfill Cover System:**

U. S. EPA and the support agencies continue negotiating with the Casmalia Steering Committee regarding corrective actions that will be implemented to address the list of concerns with the construction of the Pesticides/Solvents Landfill. The Casmalia Steering Committee will submit a corrective action plan by mid May 2000 for the agencies to provide review and comment. U. S. EPA anticipates that the Casmalia Steering Committee will start corrective actions during this dry season. In the interim, the Casmalia Steering Committee has been addressing the immediate areas of concern related to erosion problems on the cover system.

### **Revision of Monitoring and Reporting Program No. 99-034**

On March 28, 2000, staff sent notice of a proposed revised NPDES permit Monitoring and Reporting



Program to all interested parties for the Casmalia Site. No comments were received as of April 24, 2000. If no comments are received on or before the May 19, 2000 Regional Board meeting, the revised monitoring program will be signed by the Executive Officer and become effective on May 19, 2000.

The monitoring revision reduces the period for Casmalia Creek flow measurements from continuous to every other day. The NPDES permit limits the discharge contribution to Casmalia Creek to 25 percent of creek flow (e.g., a creek flow of 100 gallons per minute would allow a 25 gallon per minute discharge). Information on seasonal stream flow was deemed necessary by Regional Board staff in order to approximate the volume of discharge that could be allowed on a seasonal basis.

The Casmalia Steering Committee and Regional Board staff agreed that a reduction in monitoring for stream flow was appropriate due to the difficulty in continuous monitoring. Continuous monitoring requires equipment to be placed in the creek. Highly variable creek flow and large debris frequently dislodged or damaged the in-stream equipment. The revised monitoring program requires stream flow measurements every other day. To accomplish this, the Casmalia Steering Committee's contractors use a hand-held flow meter to gauge stream flow velocity. This information is then used to determine the volume of water flowing in Casmalia Creek. Over time, the Casmalia Steering Committee will gather enough data to determine average seasonal creek flow as it relates to an NPDES discharge and the 25 percent flow limitation. The reduced monitoring is not expected to affect data gathering objectives designed to determine average seasonal creek flow.

Unocal Avila Beach Cleanup, San Luis Obispo County [John M. Robertson 805/542-4630 and Diane Kukol 805/542-4637]

#### **Avila Beach Reconstruction**

Reconstruction of the excavation area continues with the installation of utilities and rebuilding of the Avila Pier along Front Street. The Avila Yacht Club is scheduled to be moved back into its original location on the east side of the pier during the last week of April. Preliminary work including retaining wall construction is under way on several of the private properties within the former Cell 3 (see attached map).

#### **Avila Main Plume Ground Water**

Post-excavation ground water monitoring wells have been installed and sampled in Cells 1A and 1B. Results from the first monitoring event indicate hydrocarbon concentrations in ground water have rapidly decreased relative to pre-excavation concentrations, reflecting the removal of contaminated soil and the associated oxygenation of the ground water. This oxygenation has enhanced the natural degradation processes. Results from the second monitoring event confirm the initial results and indicate that hydrocarbon concentrations have dropped below the 1 part per million cleanup goal specified in Cleanup and Abatement Order (CAO) No. 94-85. A third monitoring event has been conducted and results are pending.

Existing down-gradient monitoring wells will be used to evaluate ground water quality in the vicinity of the Beach Cells. Cell 3 ground water will be evaluated through hydropunch sample locations rather than through the installation of permanent wells. Very little ground water was encountered during the excavation of Cell 3, and the bottom confirmation samples from this cell indicate it is the cleanest of the major cells. Formal closure for the main excavation may be appropriate as soon as the fall of this year.

#### **Adjacent Plumes**

Numerous additional smaller plumes are located throughout Avila Beach, but were not covered under the original scope of work specified in CAO No. 98-37. The cleanup requirements defined in the CAO have been carried forward for use on each of the adjacent plume excavations. Two of these additional plumes, Cell2E/west end and the former Cummings property plume (See attached map), were removed at the same time as the main plume excavation. Excavation of plumes on the former Lyon/Tognazzini and Farris/Bachino properties were completed within the last month.

Backfilling and compaction operations are nearing completion for the former Lyon/Tognazzini property. Three relatively small and one large hydrocarbon plumes were excavated from the former Lyon/Tognazzini property. Additionally, a significant portion of the surface soil throughout this site has been degraded by petroleum discharges. The former Lyon/Tognazzini property is a remnant of the Pacific Coast Railway right-of-way and contained several subsurface pipelines

parallel to the tracks. The two smallest subsurface sites were excavated in February. The remaining two subsurface sites were excavated in March, as was the surface soil contamination. Regional Board staff have already reviewed and provided comment on a draft closure report for the former Lyon/Tognazzini property.

A water re-circulation facility associated with Avila Tank Farm operations was located on the Farris/Bachino property during the mid- 1900s. The western portion of this site was excavated in early February. The remainder was excavated in late March and the first part of April. Extensive hydrocarbon contaminated soils were encountered throughout much of the lower portion of the former Farris property. Backfilling operations at Farris/Bachino should be complete by the end of April. Excavation on both of the former Lyon/Tognazzini and Farris/Bachino properties has been slowed by the adverse weather throughout February and early March.

#### **Mitigation Project Review Process**

Regional Board staff have completed preliminary review and screening of approximately 40 water-quality project proposals submitted last December in response to a request for proposals for funding from the Avila Beach settlement money. This preliminary evaluation will provide a rough grading for each proposal based on compliance with Board-adopted evaluation criteria. A more detailed evaluation of each project will be conducted following a public meeting in Avila Beach, tentatively scheduled for this June. Final project funding recommendations will likely be brought before the Board late this year.

The Department of Fish and Game and the San Luis Obispo County Air Pollution Control District each received mitigation funding from the Avila Beach cleanup project and are conducting concurrent proposal review processes. Regional Board staff is working with both agencies by sharing proposals that cross agency jurisdictions to ensure full consideration of project proposals that might benefit water quality.

#### **Intertidal Plume**

A work plan for additional characterization of the Intertidal plume was completed and approved in February. An investigation, including near-shore and marine sediment sampling in the vicinity of the

Avila pier, will commence in early May. This investigation will characterize the nature and extent of hydrocarbon contamination in the vicinity of the Avila Pier. A summary report detailing the investigation and associated results will follow completion of the field work.

#### **Avila Tank Farm**

Staff from the Regional Board, Unocal, and the Remediation Test Panel (RTP) finalized the RTP's data gap recommendations report. In accordance with some of the recommendations, aquifer testing was conducted at the Avila Tank Farm in mid-April. These tests were conducted to investigate hydrogeologic characteristics and spatial variability in the aquifer, and results will be used to optimally locate future ground water extraction wells. A summary report will be distributed by the end of May for this field work. Additional characterization work recommended in the RTP's data gap report for the Avila Tank Farm will be implemented throughout the remainder of this year.

Ballard Canyon/Chalk Hill Road Landfill, Santa Barbara County, [Hector Hernandez 805/542-4641]

#### **Summary**

The following is a status report on the major developments since the March 31, 2000, Board meeting concerning the Ballard Canyon/Chalk Hill Road Landfill, Solvang, Santa Barbara County.

#### **Site Investigation Status**

The County is required to provide an implementation schedule for installation and startup of the interim cleanup plan (gas recovery system), and a proposed schedule for submitting a final remediation plan by April 24, 2000. Staff expects implementation of a gas recovery system in spring 2000.

The County is on track for submitting a Final Investigation Report by May 29, 2000. This report will document all site characterization activities performed and summarize all assessment results, in accordance with the Final Work Plan and as approved by the Executive Officer.

The County performed and completed a Ground Penetrating Radar (GPR) survey and confirmatory trenches. The data collected from this fieldwork is

being used to determine the landfill's lateral and vertical extent.

**Site Access Issues**

Although the County remains in litigation with several other residents near the landfill property, all site access issues are resolved.

**Concerns raised by Mr. Richard Kravetz during the March 31, 2000, Board Meeting**

Mr. Kravetz indicated that the Erickson/Robertson and Hutchinson wells are being continuously pumped to irrigate two large parcels of land (up to 30 acres). Mr. Kravetz indicated he is concerned the continuous pumping of these wells is causing the plume to move in ways and directions that are not currently understood. Thus, he requests that Regional Board staff consider and address the current irrigation uses of impacted well water similarly to the Larner water supply issue. Mr. Kravetz indicated he would address his concerns in writing and submit them to the Regional Board.

Regional Board staff intends to address Mr. Kravetz's concerns in writing, as soon as they are received. A copy of the Regional Board's response letter will be made available to the Board.

**Air Quality Issues and Integrated Waste Management Board (Waste Board) Involvement**

The Waste Board remains actively involved and is assisting Regional Board staff in addressing non-water quality aspects of the landfill site. The non-water quality aspects include landfill-gas monitoring and control and public health and safety. Waste Board staff will provide technical assistance (primarily on landfill-gas issues) on the ongoing regulatory oversight of site assessment and remediation. This includes review of technical documents and monitoring and reporting programs and participation in meetings, conference calls, and field visits as requested and necessary to support the local enforcement agency and the Regional Board.

Regional Board staff has formally requested assistance from the Waste Board to evaluate and provide recommendations concerning a **March 17, 2000**, letter from Mr. Richard Kravetz (attorney representing several homeowners near the landfill). Mr. Kravetz's letter requests immediate sampling

of gas within and around the Hovas, Erickson, Robertson, and Brownell residences. The Waste Board has been asked to provide full evaluation of the potential health and safety impacts of the "interim" gas extraction system to residents and other persons crossing the dump on a frequent and regular basis via a dirt road. The Waste Board will also provide comments concerning the adequacy of the gas sampling performed and the need for additional sampling within and outside the residences. In addition, Waste Board staff will review all available gas monitoring data and perform a qualitative fate and transport model for the landfill site. We anticipate the Waste Board will complete its work and provide comments and recommendations by early May 2000.

**Assistance by the Office of Environmental Health Hazard Assessment (OEHHA)**

The Office of Environmental Health Hazard Assessment (OEHHA) is currently reviewing the County's Health Risk Assessment document and will complete its review and provide comments and recommendations by the end of April 2000.

**Larner Domestic/Irrigation Well**

Staff remains concerned about a VOC plume migrating from the landfill towards the Larner well, particularly during heavy well pumping. On March 21, 2000, the County submitted a final proposal to control offsite migration. The County's final proposal reasonably complies with staff's request to control offsite migration of the VOC plume toward the Larner Well. The County proposes to install a test-hole in the northern portions of the Larner's property (approximately 1,000 feet northwest of the landfill) to evaluate the area's potential for a water supply well. In the event that the test-hole indicates that the new well would not meet Mr. Larner's stated water needs, then the County will proceed to implement a "pump and treat" option. The pump and treat option includes implementation of an aeration technology (air stripper) to remove VOCs from extracted ground water. Ground water would be pumped from an existing well or from a newly installed well located on the landfill site. Regional Board Staff prefers the new-well option.

Attached for your information are two letters provided by Mr. Larner. The two letters express reservations about the County's proposed interim solutions to provide an alternate water supply for

his property and other impacted properties. Mr. Larner indicated he has particular reservations about the pump & treat option. He indicated the letters also include his recommendations for a long-term solution to his water needs and provides a complete compilation of what his irrigation water needs may be.

Camp Evers Combined Site (Four Gasoline Service Station Intersection), Mount Hermon Road at Scotts Valley Drive, Scotts Valley, Santa Cruz County [Wei Liu 805/542-4648]

Petroleum hydrocarbon and gasoline additives including BTEX, 1,2-DCA and MTBE have been detected in ground water beneath and downgradient from four gasoline service stations located at the intersection of Mount Hermon Road and Scotts Valley Drive. The contamination plumes from these stations have commingled and migrated offsite. Remediation, mainly soil vapor extraction, was conducted at three of the four sites from late 1994 to late 1996, mainly targeting benzene contamination.

Since late 1997, elevated levels of MTBE have been detected in a nearby active drinking water supply well owned by Manana Woods Mutual Water Company. Two of the four gasoline stations, Tosco and Equiva (former Shell), have been identified as responsible parties for the MTBE plume that appears to have migrated

downgradient and impacted the Manana Woods well. Another station formerly owned by BP Oil Company has also been suspected to be responsible for the MTBE contamination. In September 1998, due to increasing MTBE concentrations in the Manana Woods well, the responsible parties, Equiva and Tosco, were required to conduct additional investigation to delineate the extent of the MTBE plume and to take additional remedial actions to control and cleanup the MTBE contamination. Subsequently, Equiva and Tosco started additional remedial actions and as an interim measure, installed a carbon adsorption treatment unit to help treat the supply water pumped from the Manana Woods well. The carbon unit has been added because an existing air-stripper was apparently ineffective to treat the elevated concentrations of MTBE (up to 77 ppb) at the wellhead. Meantime, Tosco expanded the remediation (soil vapor extraction and air sparging) conducted at its site, and Equiva installed a soil vapor extraction system and planned to install a ground water extraction and treatment system.

In July 1999, after several requested revisions, the responsible parties submitted, and staff approved, the final Corrective Action Implementation Plan (CAIP). The major tasks of corrective actions being proposed and their implementation status are as follows:

| <u>Task</u>  | <u>Implementation Status</u>   |
|--|--|
| 1. Remediation at the source areas around the service stations     | Tosco: Expanded soil vapor extraction and air-sparging; remediation is ongoing.<br><br>Equiva: Soil vapor extraction is ongoing; ground water extraction system installation was delayed several times due to City of Scotts Valley's previous denials to grant an access permit; however, the system is now being installed.                  |
| 2. Improve and perform wellhead treatment at the Manana Woods well | The supply water pumped from the Manana Woods well is treated with the existing air-stripper and carbon unit. Equiva and Tosco are working on a new wellhead treatment facility with larger capacity to treat MTBE and benzene contamination. The new system will replace the existing system and is planned to operate in the summer of 2000. |
| 3. Identify and cleanup the MTBE plume(s) that has migrated off-   | A well nest is being installed downgradient from the service stations to identify the possible MTBE migration pathway and to   |

- |   |   |
|---|---|
| site to downgradient areas between the stations and the Manana Woods well       | monitor migration of the MTBE plume. An interim semi-monthly ground water extraction program has been implemented in downgradient areas between the stations and the Manana Woods well, where high MTBE concentrations were detected. This program is ongoing and may be expanded if significant off-site migration of the MTBE plume is confirmed. |
| 4. Continue to search and identify the potential source or migration pathway(s) | A thorough water well inventory and an underground storage tank (UGT) search are ongoing. Sampling of the newly identified water wells and evaluation of newly identified UGTs are being arranged and performed.  |

In addition to the above, ground water monitoring wells associated with the site and the treatment systems at Tosco and Equiva sites are monitored on a quarterly basis, and the wellhead treatment system is monitored on a weekly basis. MTBE concentrations have decreased in the source area (e.g., from 15,200 to 3,200 ppb in Equiva well,

MW-4) and in the downgradient plume area (e.g., from 38,300 to 10,100 ppb in cooperative well, CEMW-6) during the last two quarters from May 1999 to November 1999. The last quarterly sampling results (fourth quarter 1999) of MTBE are shown on the attached MTBE concentration map.

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#### **STAFF CHANGES, PRESENTATIONS, AND TRAINING**

Senior Engineer Jay Cano was recently featured on a local television news broadcast regarding MTBE problem sites (Cambria in particular) in this region. The live "Newsmaker" session lasted a few minutes in which Jay provided answers to several questions. Also, several days later, Jay gave an interview to the same local television station regarding other MTBE problem sites in San Luis Obispo County.

Also, as part of public outreach efforts, Jay gave a presentation to the local chapter of the League of Women Voters regarding the operations of the Regional Board in general with a focus of his efforts to tackle MTBE problems throughout San Luis Obispo County.

In his spare time, Jay also participated in a three-day statewide interview panel for the Associate Water Resource Control Engineer Exam.

And if that's not enough, Jay gave a lecture to a Civil Engineering Professional Practice Course at Cal Poly regarding ethics in engineering. Jay has been volunteering his time for this lecture about once a year since 1993. Lecturers for this course are provided by a group of local professionals who volunteer their time through the American Society of Civil Engineers.

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Gerhardt Hubner gave a presentation on the stormwater program to the League of California Cities meeting in Guadalupe, with assistance from Jennifer Bitting.

I, Roger Briggs, am providing a briefing on Regional Board activities to Assemblyman Fred Keeley at his Monterey Office on May 5th. Russ Jeffries and Gary Shallcross are also attending.

I promoted Michael LeBrun of our staff to Senior Water Resource Control Engineer, to supervise our Department of Defense Unit. Congratulations to

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**Executive Officer's Report**

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Michael, who has some previous military experience, by the way (U.S. Navy - submarines).

**ATTACHMENTS**

1. Buena Vista Mines, Inc./Letter dated March 30, 2000 from Mr. Harold J. Biaginni to Mr. Daniel Sutter
2. Unocal Avila Beach Location Map

3. Ballard Canyon/Site Location Map
4. Ballard Canyon/Well Location Map
5. Ballard Canyon/Mr. Larner's March 14, 2000, letter addressed to Mr. Hernandez
6. Ballard Canyon/Mr. Larner's March 20, 2000, concerning the Larner Vineyard
7. Camp Evers MTBE Concentration Map
8. Underground Tanks Summary Report dated April 20, 2000.